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RUEHNO/USMISSION USNATO PRIORITY 3541
RUEAIIA/CIA WASHDC PRIORITY
RUEHVEN/USMISSION USOSCE PRIORITY 2433
RHEFDIA/DIA WASHINGTON DC PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 0782
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC PRIORITY
RUEKJCS/SECDEF WASHINGTON DC PRIORITY

C O N F I D E N T I A L TIRANA 000018

SIPDIS

E.O. 12958: DECL: 01/12/2019
TAGS: [KJUS](#) [KDEM](#) [PREL](#) [PGOV](#) [PHUM](#) [AL](#)
SUBJECT: PRESIDENT TOPI LEANING AGAINST VETO OF LUSTRATION
LAW

REF: A. 08 TIRANA 899
[1](#)B. TIRANA 9

Classified By: Charge d'Affaires Stephen A. Cristina, reasons 1.4 (b) a
nd (d)

[1](#)1. (C) SUMMARY: During a January 12 meeting with Charge
d'Affaires, President Topi signaled clearly that he will not
veto the Lustration Law. Instead, he told Charge that he
will almost certainly sit on the bill until the twenty-day
review period expires on January 14, thereby passively
allowing the bill to become law (ref a). Acknowledging the
bill's many flaws, President Topi walked through his thinking
on the decision not to veto the bill, explaining that a veto
would do nothing to stop its implementation, while opening
him up to "a frontal political assault" from Prime Minister
Berisha (ref b). Topi said he expects the law to be
challenged immediately in front of the Constitutional Court
by a number of NGOs and political parties, an action he said
will lead to the law's suspension until the Court can rule.
END SUMMARY.

[1](#)2. (C) At President Topi's request, Charge met with the
President at Topi's Tirana private residence to discuss the
Lustration Law. Topi told Charge that after meeting with
numerous legal experts, judges and representatives of former
victims of communist persecution, Topi was leaning strongly
against a veto of the Lustration Law. Topi acknowledged that
the law as drafted threatens the constitution, but said that
sending the bill back to Parliament for revisions would do
nothing to stop the bill from becoming law (Parliament would
need only a simple majority vote to override Topi's veto) and
would open Topi up to "savage political attacks" at the hands
of Prime Minister Berisha and his allies. Topi said that the
only way for him to survive politically while still signaling
his opposition to the law would be to sit on the draft until
the end of the review period, thereby passively allowing it
to become law.

[1](#)3. (C) Topi said that numerous NGOs and political parties
had prepared legal challenges to the Lustration Law and that
these motions would be filed with the Constitutional Court
immediately following the passage of the law. Topi said the
law would go into suspension pending a decision by the
Constitutional Court.

[1](#)4. (C) COMMENT: Topi said that representatives of former
victims of the Albanian communist regime - a key political
constituency for Topi - unanimously urged Topi not to reject
outright the Lustration Law, claiming that to do so would be
politically devastating for him. As in his previous meeting
with Charge (ref b), Topi said numerous times that rejecting
the law would in the end do nothing to stop its

implementation. Instead, Topi believes that a veto of the law would cause Prime Minister Berisha and his allies to launch unrelenting political and even physically violent attacks (including demonstrators brought in to throw rocks at Topi's office) against Topi. As a result, Topi clearly hopes that the considerable political and civil society opposition to the bill will lead to a Constitutional Court ruling against it.

CRISTINA